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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/387,560 09/01/99 CHOI

W P55824

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EXAMINER

LEUNG, P

ART UNIT

PAPER NUMBER

3742

DATE MAILED:

01/19/00

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/387,560**

Applicant(s)  
**CHOI**

Examiner  
**Philip H. Leung**

Group Art Unit  
**3742**



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-4 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 4 is/are allowed.

☒ Claim(s) 1 is/are rejected.

☒ Claim(s) 2 and 3 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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**DETAILED ACTION**

1. The drawings filed 9-1-99 are not objected to by the Draftsperson under 37 CFR 1.84 or 1.152.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claim 1** is rejected under 35 U.S.C. 102(b) as being clearly anticipated by *Kaneko et al* (JP 1-314818) or *Watanabe* (JP 2-25639).

4. **Claim 1** is further rejected under 35 U.S.C. 102(b) as being clearly anticipated by *Onishi* (JP 1-292793) or *Iwabuchi* (JP 1-189423).

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. **Claim 1** is further rejected under 35 U.S.C. 103(a) as being unpatentable over *Cunningham* (US 4,239,009) or *Liu* (US 4,694,132).

*Cunningham* or *Liu* discloses the claimed invention except for the explicit showing of the use of a rotating speed changing device. However, each of *Cunningham* and *Liu* shows that it is well known in the art of microwave cooking devices with a turntable that the rotational speed of the turntable can be controlled by varying the ratio of the gears (see *Cunningham*, Figures 1 and 3 and col. 3, lines 30-54 and *Liu*, Figures 3 and 5A, col. 4, lines 1-24 and col. 5, lines 25-35). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify *Cunningham* or *Liu* to provide a device to vary the gear ratio so that the speed of the turntable can be easily controlled according to heating parameters for better heating result

7. **Claim 4** is allowed.

8. **Claims 2 and 3** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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9. The prior art made of record below is considered pertinent to applicant's disclosure:

*Einset et al* (US 4,286,133) (see Figures 3 and 4 and col. 5, lines 4-17) and *Han* (US 5,672,291) (see Figures 3-5) are further cited to show microwave oven turntables with various features as claimed.

10. Any inquiry concerning any communication from the examiner should be directed to Examiner Leung whose telephone number is (703) 308-1710. The examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg, can be reached on (703) 308-1327. The fax phone number for this Group is (703) 308-7764.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

  
**PHILIP H. LEUNG**  
**PRIMARY EXAMINER**  
**ART UNIT 3742**

P.Leung/pl  
1-13-00